

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**BOBBY LEE ROBERTSON,
ADC #121746**

PLAINTIFF

V.

CASE NO. 4:20-CV-1171-KGB-BD

DEXTER PAYNE, *et al.*

DEFENDANTS


ORDER

The Court has received the Partial Recommended Disposition filed by United States Magistrate Judge Beth Deere (Dkt. No. 44). Plaintiff Bobby Lee Robertson filed an objection (Dkt. No. 45). After careful consideration, as well as a *de novo* review of the record, the Court concludes that the Partial Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects (Dkt. No. 44).

Mr. Robertson in his objections raises two issues which he asserts are factual errors in the Partial Recommended Disposition (Dkt. No. 45, at 1). First, Mr. Robertson asserts that he was assigned to solitary confinement on April 4, 2018, and was never provided a reason for his initial assignment to solitary confinement other than that he posed a threat (*Id.*, at 2). Second, Mr. Robertson asserts that the allegedly false disciplinary charge was dismissed on January 23, 2019, but that the charge was filed on January 12, 2019 (*Id.*). Mr. Robertson therefore argues that the disciplinary should not have been used as a ground to deny his release to population (*Id.*). The Court recognizes that Mr. Robertson makes similar factual allegations in his complaint (Dkt. No. 2, at 10–11). Mr. Robertson does not otherwise object to the Partial Recommended Disposition, which this Court has adopted as this Court's findings in all respects.

Accordingly, the Court denies separate defendant Jonathon Wiscaver's motion for summary judgment (Dkt. No. 32).

It is so ordered this 31st day of August, 2021.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker

United States District Judge